

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

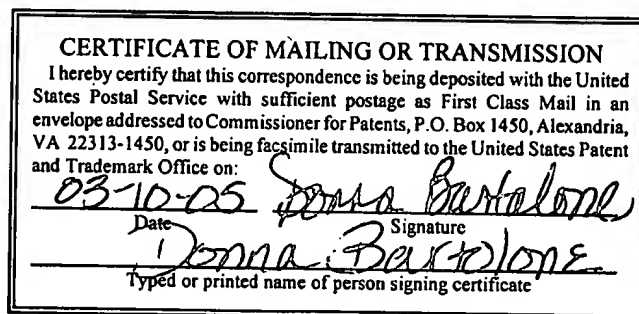
Applicants: Chaitanya Kanojia, Lee Kamenstky and Peter Hall

Application No.: 09/519,221 Group: 2143

Filed: March 6, 2000 Examiner: Neurauter, George C.

Confirmation No.: 7967

For: SYSTEM AND METHOD FOR PROVIDING GUARANTEED
DELIVERY OF MESSAGES TO EMBEDDED DEVICES OVER A
DATA NETWORK (AS AMENDED)



REQUEST FOR REFUND UNDER 37 C.F.R. § 1.26

Mail Stop 16
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On December 16, 2004, a Request for Continued Examination and an Amendment with a 3 month extension, with an authorization to charge Deposit Account No. 08-0380 in the amount of \$1810.00 in payment of the fee was filed in the U.S. Patent and Trademark Office via facsimile. A copy of the facsimile cover sheet and auto-reply facsimile transmission receipt for this document, indicating a date of receipt of December 16, 2004 is attached as well as copies of

09/519,221

-2-

the Petition for Extension of Time, Request for Continued Examination, Amendment Fee Transmittal and Amendment.

Applicant's Attorney has reviewed a Monthly Statement of Deposit Account dated March 4, 2005, indicating that the Patent Office charged \$1020.00 and \$790.00 (Fee Code 1253 and 1801, (Extension for Response within 3rd month and Request for Continued Examination) for U.S. Application No. 09/519,221 (Attorney's Docket No. 2657.2001-005) (Date posted February 23, 2005) (see the green highlighted items on the attached copy).

However, the Monthly Statement of Deposit Account also indicates that duplicate charges were made for the same Fee Codes (see the pink highlighted entries on the attached copy).

In view of the foregoing, Applicant's Attorney respectfully requests that the Patent Office credit Deposit Account No. 08-0380 in the amount of \$1790.00. In addition, a duplicate of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By 

David J. Thibodeau, Jr.

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Concord, MA 01742-9133

Dated: 2/6/05

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DEC 16 2004

Applicants: Chaanya Kanojia, Lee Kamenstry and Peter Hall
 Application No.: 09/519,221 Group: 2143
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 For: SYSTEM AND METHOD FOR PROVIDING GUARANTEED DELIVERY OF
 MESSAGE TO EMBEDDED DEVICES OVER A DATA NETWORK

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or to being facsimile transmitted to the United States Patent and Trademark Office on:	
Date	12-16-04
Signature	Donna Baradone
Typed or printed name of person signing certificate	

PETITION FOR EXTENSION OF TIME

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

The undersigned attorney petitions the Commissioner for Patents to extend the time for filing a Notice of Appeal in reply to the Office Action made Final dated June 16, 2004 for three months, from September 16, 2004 to December 16, 2004 under 37 C.F.R. § 1.136(a).

In lieu of filing a Notice of Appeal, Applicants' Attorney is filing a Request for Continued Examination concurrently herewith.

	Small Entity	Other than Small Entity
1 month -	\$ 60	\$ 120
2 months -	\$ 225	\$ 450
3 months -	\$ 510	X \$1,020
4 months -	\$ 795	\$1,590
5 months -	\$1,080	\$2,160

- [] A check is enclosed in the amount of the extension fee indicated above, or the extension fee has been included in the check with the accompanying Reply.
 [X] Please charge Deposit Account No. 08-0380 in the amount of \$1020.00 to cover the cost of the extension fee.

Any deficiency or overpayment should be charged or credited to Deposit Account No. 08-0380.

02/23/2005 TRADE1 00000003 080380 09519221

01 FC:1253 1020.00 CR

Adjustment date: 04/26/2005 SDIRETA1
 02/23/2005 TRADE1 00000003 080380 09519221
 01 FC:1253 1020.00 CR

Concord, Massachusetts 01742-9133

Dated: 12/16/04

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By: *Todd A. Gerety*
 Todd A. Gerety
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PAGE 2/13 * RCVD AT 12/16/2004 4:18:14 PM [Eastern Standard Time] * SVR:USPTO-EF-XF-10 * DRS:8729305 * CSD:1078 341 0136 * DURATION (min-ss):04-03

Adjustment Date: 04/26/2005 SDIRETA1
 02/23/2005 TRADE1 00000004 080380 09519221
 01 FC:1801 770.00 CR